

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	CASE NO. CR07-105-RSL
Plaintiff,)	
)	
v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
OLAF TWEEDIE,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
Defendant.)	
_____)	

An initial hearing on supervised release revocation in this case was scheduled before me on October 26, 2012. The United States was represented by AUSA Susan Loitz and the defendant by Jay Stansell. The proceedings were digitally recorded.

Defendant had been sentenced on or about January 10, 2008 by the Honorable Robert S. Lasnik on a charge of False Statement, and sentenced to five months custody, three years supervised release.

The conditions of supervised release included the standard conditions plus the requirements that defendant participate in drug testing and treatment, abstain from alcohol, submit to search, participate in a mental health program, pay restitution in the amount of \$12,855.84, provide his probation officer with financial information as requested, and serve

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

01 150 days in a community corrections center. (Dkt. 25.)

02 Defendant's probation officer reported on March 24, 2008 that defendant had violated
03 the conditions of supervised release by committing the offense of Theft/Shoplifting. (Dkt. 26)
04 Defendant admitted the allegation and, because he had otherwise been compliant, no further
05 action was taken at the time. On June 12, 2008, defendant admitted violating the conditions of
06 supervised release by failing to complete the 150 day placement in a residential reentry center.
07 He was sentenced to 24 days in custody with credit for time served, 35 months supervised
08 release. (Dkt. 36.) Defendant's probation officer reported on October 15, 2008 that defendant
09 had violated the conditions of supervised release by committing the offense of Unlawful
10 Possession of a Controlled Substance and Driving while License Suspended in the Third
11 Degree. (Dkt. 37.) Defendant was otherwise compliant with the conditions of supervision,
12 was employed, and had recently tested negative for use of controlled substances. No further
13 action was taken at the time.

14 On November 17, 2009, defendant admitted violating the conditions of supervised
15 release by using cocaine and failing to report for drug treatment. (Dkt. 43) Pending disposition,
16 defendant's probation officer reported that defendant had tested positive for cocaine and failed
17 to report for drug treatment. (Dkt. 45, 46) Defendant admitted the violations. (Dkt. 54.) He
18 was sentenced to time served, 34 months supervised release. (Dkt. 59.) On December 5, 2011,
19 defendant's probation officer reported that defendant tested positive for cocaine. Testing
20 frequency was increased, defendant was reprimanded, and referred for counseling and intensive
21 outpatient treatment, and referred to a community based residential program. No further action
22 was taken at the time. (Dkt. 60.)

01 On September 6, 2012, defendant admitted violating the conditions of supervised
02 release by using cocaine on multiple occasions, failing to submit to urinalysis testing, and
03 failing to pay restitution. (Dkt. 73.) A disposition hearing was scheduled for October 10,
04 2012, but defendant failed to appear for the hearing. (Dkt. 75.)

05 In an application dated October 3, 2012 (Dkt. 75), U.S. Probation Officer Todd D.
06 Skipworth alleged the following additional violations of the conditions of supervised release,
07 incorporated with pending disposition proceedings as previously described (Dkt. 73):

08 5. Using cocaine on or before September 24, 2012, in violation of standard #7.

09 6. Failing to report for urinalysis testing on September 24, 26, and 27, 2012, in
10 violation of a special condition of supervision.

11 Defendant was advised in full as to those charges and as to his constitutional rights.

12 Defendant admitted the violations and waived any evidentiary hearing as to whether
13 they occurred. (Dkt. 78.)

14 I therefore recommend the Court find defendant violated his supervised release as
15 alleged in violations 5 and 6, and that disposition of these violations be incorporated with the
16 disposition hearing on pending violations 1, 2, 3 and 4. The next hearing will be set before
17 Judge Lasnik.

18 Pending a final determination by the Court, defendant has been detained.

19 DATED this 26th day of October, 2012.

20 

21 Mary Alice Theiler
22 United States Magistrate Judge

01

02 cc: District Judge: Honorable Robert S. Lasnik
AUSA: Susan Loitz
03 Defendant's attorney: Jay Stansell
04 Probation officer: Todd K. Skipworth, Jennifer Van Flandern

05

06

07

08

09

10

11

12

13

14

15

16

17

18

19

20

21

22

SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE

PAGE -4